

UNITED STATES DISTRICT COURT

for the

Southern District of New York

United States of America)

V.)

DEREK GALANIS)

Case No. 15 CR 643 (PKC)

Defendant)

APPEARANCE BOND

Defendant's Agreement

I, DEREK GALANIS (defendant), agree to follow every order of this court, or any court that considers this case, and I further agree that this bond may be forfeited if I fail:

- (X) to appear for court proceedings;
- (X) if convicted, to surrender to serve a sentence that the court may impose; or
- (X) to comply with all conditions set forth in the Order Setting Conditions of Release.

Type of Bond

(X) (1) This is a personal recognizance bond.

() (2) This is an unsecured bond of \$ _____.

(X) (3) This is a secured bond of \$ 2,000,000.00, secured by:

(X) (a) \$ 200,000.00, in cash deposited with the court.

() (b) the agreement of the defendant and each surety to forfeit the following cash or other property (describe the cash or other property, including claims on it – such as a lien, mortgage, or loan – and attach proof of ownership and value):

If this bond is secured by real property, documents to protect the secured interest may be filed of record.

() (c) a bail bond with a solvent surety (attach a copy of the bail bond, or describe it and identify the surety):

Forfeiture or Release of the Bond

Forfeiture of the Bond. This appearance bond may be forfeited if the defendant does not comply with the above agreement. The court may immediately order the amount of the bond surrendered to the United States, including the security for the bond, if the defendant does not comply with the agreement. At the request of the United States, the court may order a judgment of forfeiture against the defendant and each surety for the entire amount of the bond, including interest and costs.

Release of the Bond. The court may order this appearance bond ended at any time. This bond will be satisfied and the security will be released when either: (1) the defendant is found not guilty on all charges, or (2) the defendant reports to serve a sentence.

AO 98 (Rev. 12/11) Appearance Bond

Declarations


Ownership of the Property. I, the defendant – and each surety – declare under penalty of perjury that:

- (1) all owners of the property securing this appearance bond are included on the bond;
- (2) the property is not subject to claims, except as described above; and
- (3) I will not sell the property, allow further claims to be made against it, or do anything to reduce its value while this appearance bond is in effect.

Acceptance. I, the defendant – and each surety – have read this appearance bond and have either read all the conditions of release set by the court or had them explained to me. I agree to this Appearance Bond.

I, the defendant – and each surety – declare under penalty of perjury that this information is true. (See 28 U.S.C. § 1746.)

Date: December 1st
November, 2015


Surety/property owner – **JASON LAMBERT**


Surety/property owner – **RUSSELL EDWARDS**

Surety/property owner – **DIMITRIAS ADGELAKIS**


Defendant **DEREK GALANIS** signature:

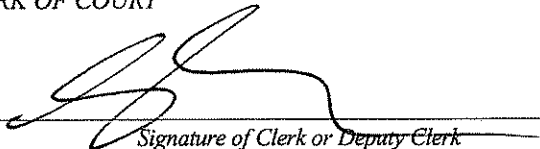
12-2-15
Surety/property owner – signature and date

1 DEC 15
Surety/property owner – signature and date

Surety/property owner – signature and date

Date: 12/1/15

CLERK OF COURT


Signature of Clerk or Deputy Clerk

Approved.

Date: _____

AUSA'S BRIAN BLAIS, ANDREW BAUER, DINA MCLEOD

AO 98 (Rev. 12/11) Appearance Bond

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I, the defendant – and each surety – declare under penalty of perjury that this information is true. (See 28 U.S.C. § 1746.)

Date: November, 2015

Defendant **DEREK GALANIS** signature:

Surety/property owner – **JASON LAMBERT**

Surety/property owner – signature and date

Surety/property owner – **RUSSELL EDWARDS**

Surety/property owner – signature and date

Surety/property owner – **DIMITRI ADGELAKIS**

Surety/property owner – signature and date

CLERK OF COURT

Date: 12-8-15

Signature of Clerk or Deputy Clerk

Approved.

Date: _____

AUSA'S BRIAN BLAIS, ANDREW BAUER, DINA MCLEOD

UNITED STATES DISTRICT COURT

for the

Southern District of New York

United States of America)

v.)

Case No. 15 CR 643 (PKC)

DEREK GALANIS)*Defendant*)

ORDER SETTING CONDITIONS OF RELEASE

IT IS ORDERED that the defendant's release is subject to these conditions:

- (1) The defendant must not violate federal, state, or local law while on release.
- (2) The defendant must cooperate in the collection of a DNA sample if it is authorized by 42 U.S.C. § 14135a.
- (3) The defendant must advise the court or the pretrial services office or supervising officer in writing before making any change of residence or telephone number.
- (4) The defendant must appear in court as required and, if convicted, must surrender as directed to serve a sentence that the court may impose.

The defendant must appear at: _____

Place

on _____

Date and Time

If blank, defendant will be notified of next appearance.

- (5) The defendant must sign an Appearance Bond, if ordered.

ADDITIONAL CONDITIONS OF RELEASE

IT IS FURTHER ORDERED that the defendant's release is subject to the conditions marked below:

- () (6) The defendant is placed in the custody of:

Person or organization _____

Address (only if above is an organization) _____

City and state _____

Tel. No. _____

who agrees to (a) supervise the defendant, (b) use every effort to assure the defendant's appearance at all court proceedings, and (c) notify the court immediately if the defendant violates a condition of release or is no longer in the custodian's custody.

Signed: _____

Custodian

Date

- (X) (7) The defendant must:

- (X) (a) submit to supervision by and report for supervision to the STRICT PRE-TRIAL SUPERVISION, telephone number _____, no later than _____.

- () (b) continue or actively seek employment.

- () (c) continue or start an education program.

- (X) (d) surrender any passport to: PRETRIAL SERVICES

- (X) (e) not obtain a passport or other international travel document.

- (X) (f) abide by the following restrictions on personal association, residence, or travel: _____

TRAVEL LIMITS NDCA, SDCA, SDNY & EDNY, AND DISTRICTS NECESSARY FOR TRAVEL TO THOSE DISTRICTS

- () (g) avoid all contact, directly or indirectly, with any person who is or may be a victim or witness in the investigation or prosecution, including: _____

- () (h) get medical or psychiatric treatment: _____

- () (i) return to custody each _____ at _____ o'clock after being released at _____ o'clock for employment, schooling, or the following purposes: _____

- () (j) maintain residence at a halfway house or community corrections center, as the pretrial services office or supervising officer considers necessary.

- () (k) not possess a firearm, destructive device, or other weapon.

- () (l) not use alcohol () at all () excessively.

- () (m) not use or unlawfully possess a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.

- () (n) submit to testing for a prohibited substance if required by the pretrial services office or supervising officer. Testing may be used with random frequency and may include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing. The defendant must not obstruct, attempt to obstruct, or tamper with the efficiency and accuracy of prohibited substance screening or testing.

- () (o) participate in a program of inpatient or outpatient substance abuse therapy and counseling if directed by the pretrial services office or supervising officer.

- (X) (p) participate in one of the following location restriction programs and comply with its requirements as directed.

- (X) (i) **Curfew.** You are restricted to your residence every day () from 10:00 P.M. to 5:00 A.M., or () as directed by the pretrial services office or supervising officer; or

- () (ii) **Home Detention.** You are restricted to your residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities approved in advance by the pretrial services office or supervising officer; or

- () (iii) **Home Incarceration.** You are restricted to 24-hour-a-day lock-down at your residence except for medical necessities and court appearances or other activities specifically approved by the court.

- (X) (q) submit to location monitoring as directed by the pretrial services office or supervising officer and comply with all of the program requirements and instructions provided.

- () You must pay all or part of the cost of the program based on your ability to pay as determined by the pretrial services office or supervising officer.

- () (r) report as soon as possible, to the pretrial services office or supervising officer, every contact with law enforcement personnel, including arrests, questioning, or traffic stops.

\$2,000,000.00 PRB; SIGNED BY 3 FRP'S; SECURED BY \$200,000.00 IN CASH OR PROPERTY; SURRENDER OF PASSPORT, NO NEW APPLICATIONS FOR TRAVEL DOCUMENTS; TRAVEL LIMITS NDCA, SDCA, SDNY & EDNY, AND DISTRICTS NECESSARY FOR TRAVEL TO THOSE DISTRICTS; STRICT PRE-TRIAL

- (X) (s) **SUPERVISION; ELECTRONIC MONITORING; CURFEW BETWEEN 10:00 P.M. AND 5:00 A.M.**
11/23/15 BAIL MODIFIED BY JUDGE CASTEL: DEFENDANT IS GRANTED AN EXTENSION OF TIME TO SATISFY BAIL CONDITIONS FROM NOVEMBER 23, 2015 TO NOVEMBER 30, 2015.

ADDITIONAL CONDITIONS OF RELEASE

ADVICE OF PENALTIES AND SANCTIONSTO THE DEFENDANT: **DEREK GALANIS**November 19, 2015
15 CR 643 (PKC)

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

Violating any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of your release, an order of detention, a forfeiture of any bond, and a prosecution for contempt of court and could result in imprisonment, a fine, or both.

While on release, if you commit a federal felony offense the punishment is an additional prison term of not more than ten years and for a federal misdemeanor offense the punishment is an additional prison term of not more than one year. This sentence will be consecutive (*i.e.*, in addition to) to any other sentence you receive.

It is a crime punishable by up to ten years in prison, and a \$250,000 fine, or both, to: obstruct a criminal investigation; tamper with a witness, victim, or informant; retaliate or attempt to retaliate against a witness, victim, or informant; or intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

If, after release, you knowingly fail to appear as the conditions of release require, or to surrender to serve a sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more – you will be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years – you will be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony – you will be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor – you will be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender will be consecutive to any other sentence you receive. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

Acknowledgment of the Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and surrender to serve any sentence imposed. I am aware of the penalties and sanctions set forth above.

DEFENDANT RELEASED

Defendant **DEREK GALANIS** *Signature:*

City and State

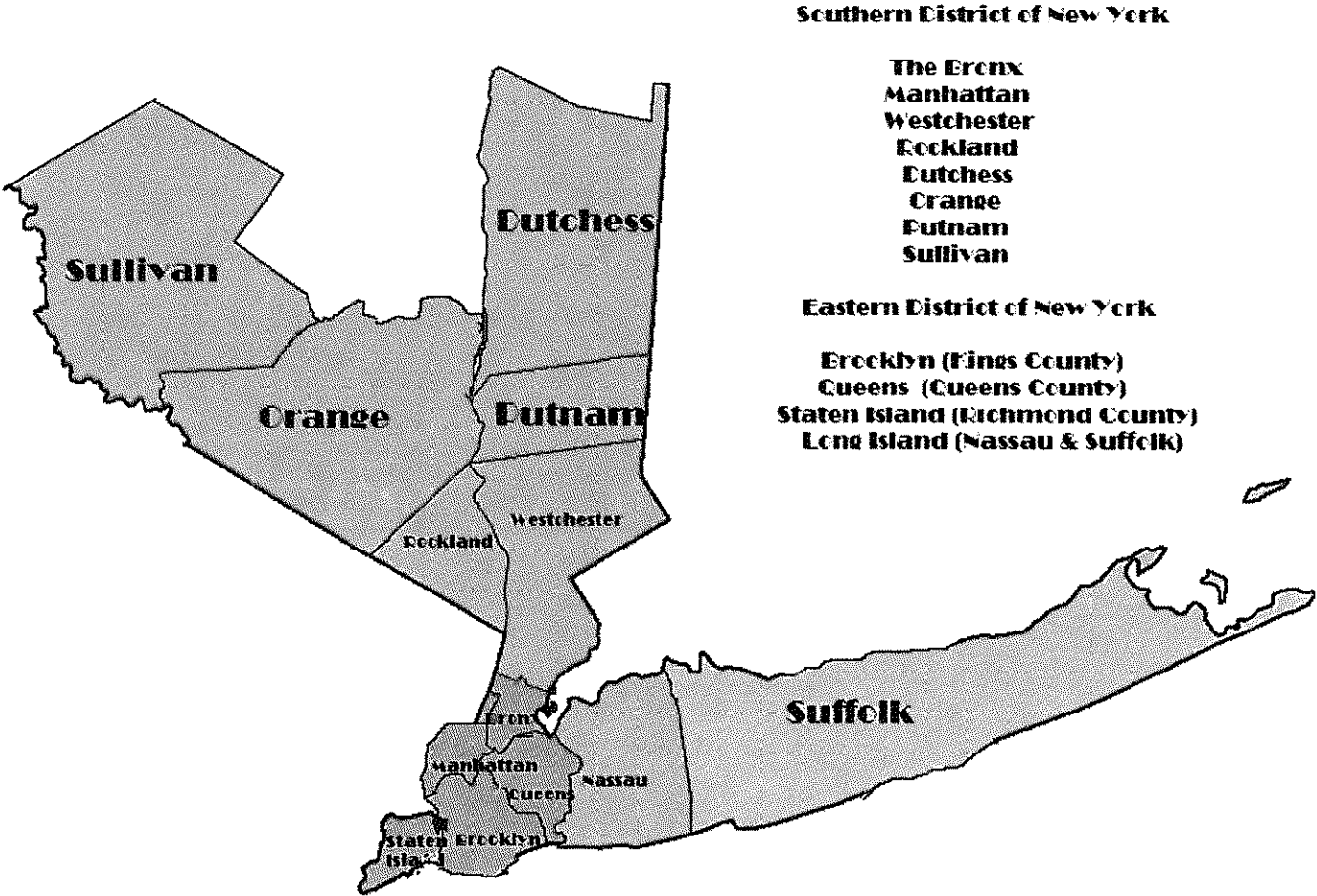
Directions to the United States Marshal

- () The defendant is ORDERED released after processing.
- () The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judge that the defendant has posted bond and/or complied with all other conditions for release. If still in custody, the defendant must be produced before the appropriate judge at the time and place specified.

Date: _____

Judicial Officer's Signature

Printed name and title



Case 1:15-cr-00643-PKC Document 71 Filed 11/20/15 Page 1 of 1

ANTHONY J. BRASS

Attorney at Law

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San Francisco, CA 94123

USDS SDNY
DOCUMENT
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DOC #:
DATE FILED: 11-24-15

TELEPHONE (415) 922-5462
FACSIMILE (415) 346-8987
tony@brasslawoffice.com

November 20, 2015

BY ECF

The Honorable P. Kevin Castel
United States District Judge
Southern District of New York
United States Courthouse
500 Pearl Street
New York, NY 10007-1312

*Application
Granted.
US & ORVED
USDS
11-23-15*

Re: United States v. Galanis et. al., Case No: 15-cr-643(PKC)

Dear Judge Castel:

The undersigned respectfully submits this letter, with the Government's consent, on behalf of Defendant Derek Galanis to request an extension of time from November 23, 2015, to November 30, 2015, for Derek Galanis to satisfy conditions of bail.

Derek Galanis and his co-signers originally signed a Northern District of California (NDCA) bond. We asked that the bail conditions set in NDCA be continued, which requires the issuance and signature of a new bond in Southern District of New York (SDNY) that supersedes the NDCA bond. Due to a paperwork mixup that last step has not taken place. The United States Attorney in SDNY is preparing an SDNY bond, which will need to be executed by Mr. Galanis and his co-signers. Until that happens, the clerk's office views his bail conditions as being unsatisfied. Additionally, Mr. Galanis requires more time in order to post required secured bond in the amount of \$200,000.

Thus, with the consent of the Government, we respectfully request that Your Honor extend the deadline for Derek Galanis to satisfy bail conditions to November 30, 2015. Should Your Honor have any questions with respect to this application, please do not hesitate to contact me.

Respectfully submitted,

Tony Brass
Anthony J. Brass

cc. Assistant United States Attorney Brian Blais (via email)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -x

UNITED STATES OF AMERICA :

- v. - :

DEREK GALANIS, :

Defendant. :

- - - - -x

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 10-8-15

ORDER

15 Cr. 643 (PKC)

WHEREAS, DEREK GALANIS, the defendant, surrendered in the Northern District of California on September 24, 2015, was presented before United States Magistrate Judge Sallie Kim in the Northern District of California, and released on bail subject to the following bail conditions: a \$2,000,000 personal recognizance bond, signed by 3 financially responsible persons and secured by \$200,000 cash or property; the surrender of his passport and no new applications for travel documents; travel restricted to the Northern and Southern Districts of California, the Southern and Eastern Districts of New York, and districts necessary for travel to those districts; strict pretrial supervision, including electronic monitoring, with a curfew imposed between the hours of 10 p.m. and 6 a.m.; and

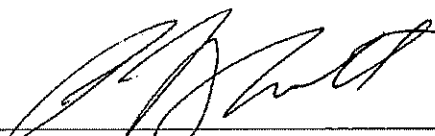
WHEREAS, DEREK GALANIS, the defendant was released on his own signature and was given until October 7, 2015 to meet the bail conditions; and

WHEREAS, this Court, on October 5, 2015, entered an Order allowing the defendant one time travel to the District of

Massachusetts on October 8 and 9, 2015, and extending until October 16, 2015 the date by which the defendant was required to meet his bail conditions;

IT IS HEREBY ORDERED that the Court adopts the bail conditions set forth above that were set in the Northern District of California, provided, however, that this Court's prior Order allowing for one-time travel to the District of Massachusetts and setting a date by which bail conditions are to be met remains in effect.

Dated: New York, New York
October 7, 2015



HONORABLE P. KEVIN CASTEL
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF NEW YORK